

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

9.2492

MABLE B. BEAL, deceased,
through
DEBORAH K. PUTNAM
and
MAYNARD BEAL,
Representatives,

RUTH M. SCHAEFFER, deceased
through
JAN FREEMAN and DORIS BICKNELL
Representatives

Plaintiffs,

VS.

WALGREEN CO.,

Defendant.

05-2237-DV
NO.: ~~0522370-DE~~
JURY DEMANDED

FILED BY *g* D.C.
05 AUG 25 AM 10:19
THOMAS H. GOULD
CLERK U.S. DISTRICT COURT
W.D. OF TENN. MEMPHIS

JOINT PROPOSED RULE 16(b) SCHEDULING ORDER

Pursuant to the scheduling conference set by written notice, the following dates are established as the final dates for:

| | |
|--|--------------------|
| JOINING PARTIES FOR PLAINTIFF: | September 6, 2005 |
| JOINING PARTIES FOR DEFENDANT: | September 21, 2005 |
| AMENDED PLEADINGS: | September 21, 2005 |
| COMPLETING ALL DISCOVERY: | December 31, 2005 |
| (a) REQUESTS FOR PRODUCTION, INTERROGATORIES AND REQUESTS FOR ADMISSIONS: | November 20, 2005 |
| (b) EXPERT DISCLOSURE (Rule 26(a)(2)) | |

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 8/29/05

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- (i) Plaintiff's Expert: September 26, 2005
- (ii) Defendant's Expert: October 26, 2005
- (iii) Third Party Defendants' October 17, 2005
- (iv) Supplementation under Rule 26(e): January 5, 2006

(c) DEPOSITIONS OF EXPERTS:

January 30, 2006

FILING DISPOSITIVE MOTIONS:

February 15, 2006

FINAL LISTS OF WITNESSES AND EXHIBITS (Rule 26(a)(3)):

- (a) For Plaintiff:
- (b) For Defendant:

March 15, 2006

March 15, 2006

The parties shall have ten (10) days after service of final lists of witnesses and exhibits to file objections under Rule 26(a)(3).

The trial of this matter is expected to last eight (8) days and is not set. In the event the parties are unable to agree on a joint pretrial order, the parties must notify the Court at least ten (10) days before trial.

OTHER RELEVANT MATTERS:

Interrogatories, Requests for Production and Requests for Admissions must be submitted to the opposing party in sufficient time for the opposing party to respond by the deadline for completion of discovery. For example, if the FRCP allow 30 days for a party to respond, then the discovery must be submitted at least 30 days prior to the deadline for completion of discovery. Additionally, each party will be permitted to seek 35 Interrogatories. Each party will also be permitted to seek Twenty (20) depositions.

Motions to compel discovery are to be filed and served by the discovery deadline or within 30 days of the default or service of the response, answer, or objection which is the subject of the motion if the default occurs within 30 days of the discovery deadline, unless the time for filing of such motion is extended for good cause shown, or any objection to the default, response, or answer shall be waived.

The parties are reminded that pursuant to Local Rule 7(a)(1)(A) and (a)(1)(B), all motions, except motions pursuant to FRCP 12, 56, 59, and 60, shall be accompanied by a proposed Order and a Certificate of Consultation.

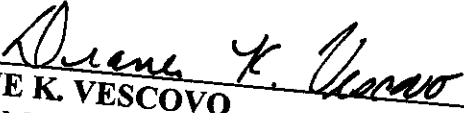
The opposing party may file a response to any motion filed in this matter. Neither party may file an additional reply, however, without leave of the court. If a party believes that a reply is necessary, it shall file a motion for leave to file a reply accompanied by a memorandum setting forth the reasons for which a reply is required.

The parties may consent to trial before the Magistrate Judge. The Magistrate Judge can normally provide the parties with a definite trial date that will not be continued unless a continuance is agreed to by all parties, or an emergency arises which precludes the matter from proceeding to trial.

The parties are encouraged to engage in court-annexed attorney mediation or private mediation on or before the close of discovery.

This order has been entered after consultation with trial counsel pursuant to notice. Absent good cause shown, the scheduling dates set by this Order will not be modified or extended.

IT IS SO ORDERED.



DIANE K. VESCOVO
United States Magistrate Judge

Date: August 24, 2005

Approved as to Form:

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McNabb, Bragorgos & Burgess
Counsel for Defendant
80 Monroe Sixth Floor
Counsel for Defendant
901-624-0640

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Notice of Distribution

This notice confirms a copy of the document docketed as number 19 in case 2:05-CV-02237 was distributed by fax, mail, or direct printing on August 29, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT